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FAX TRANSMISSION COVER SHEET

Date: November 13, 1997

To: Examiner Scott Priebe, Ph.D.

Group Art Unit: 1805 of US PTO

Fax: (703) 305-7401

Re: U.S. Ser. No 08/448,946 filed 24 May, 1995 (Attorney Docket No.: P0175C2)

Sender: Janet E. Hasak, ^{JEH}Reg. No. 28,616

CERTIFICATION OF FACSIMILE TRANSMISSION

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Clark A. Jorgensen

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11/14/97
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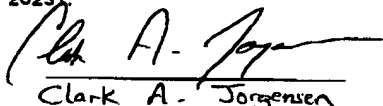
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#15
Tim Plunkett
11/2/97

Patent Docket P0175C2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Arjun Singh Serial No.: 08/448,946 Filed: 24 MAY 1995 For: USE OF ALPHA FACTOR SEQUENCES IN YEAST EXPRESSION SYSTEMS	Group Art Unit: 1805 Examiner: S. Priebe CERTIFICATE OF FACSIMILE TRANSMISSION <u>November 14, 1997</u> : Date of Transmission I hereby certify that this correspondence, consisting of Change of Address and Area Code; Request for Further Suspension of Action by the Office under MPEP §709, is being facsimile transmitted to the Assistant Commissioner of Patents, Washington, D.C. 20231.  Clark A. Jorgensen
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REQUEST FOR FURTHER SUSPENSION OF ACTION BY THE OFFICE UNDER
MPEP §709

Assistant Commissioner for Patents
Washington, D.C. 20231
ATTENTION: Group Director, 1800

Sir:

1. Petition was made on July 22, 1996 and granted on August 29, 1996 to suspend action by the Office in the above-identified application. A second petition was made on April 3, 1997 and granted on April 25, 1997 to suspend action by the Office in this application. Since the six-months maximum time for suspension has now expired, applicants are hereby requesting a third suspension of action by the Office in the above-identified application for a further maximum period of six months. There are no outstanding responses due in this application.

2. The reason for filing the first Petition is that there are overlapping claims between this application and that of the parent application, U.S. Ser. No. 07/552,719, which is involved in

U.S.S.N. 08/448,946

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an interference (No. 102,728). Final briefs were recently filed with the Board of Appeals and Interferences regarding this interference. Since the interference is not resolved and involves claims overlapping with claims in the instant application, petitioners believe that MPEP §709.01 applies. In accordance with MPEP §709.01, where there are overlapping claims the Examiner is requested to suspend prosecution of the application pending the final determination of priority in the interference. This constitutes good and sufficient cause because, for example, there is an obviousness-type double patenting rejection in the above-identified application, and while the parent application is involved in an interference, petitioners are unable to prosecute the claims therein. The Petitions Office granted the first and second Petitions based on the above showing. Since there has been no final resolution of priority of the interference during the last six months when the above application was suspended, applicants hereby request a third suspension for the maximum six-month period.

3. If there is any fee required for this Request for Further Suspension, the fee is to be charged to Deposit Account No. 07-0630. Please charge any deficiency or credit any overpayment to Deposit Account No. 07-0630. A duplicate copy of this sheet is enclosed.

Respectfully submitted,
GENENTECH, INC.

Date: 11/14/97

By: Janet E. Hasak
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